

RECEIVED
CENTRAL FAX CENTER
OCT 30 2006

REMARKS

Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the Advisory Action but remains of the position that patentable subject matter is present. Applicants have filed a Request for Continued Examination (RCE) concurrently with this submission and the unexecuted Declaration of Mr. Fukusaka.

Advisory Action

In the Advisor Action the Examiner stated that the Specification did not support the Amendment to behenic acid and the declaration date submitted did not support the molar ratio of the compound of Formula (3) to the compound of Formula (1).

To address both of these points additional tests have been run and are reported in the attached declaration of Mr. Fukusaka. The Examiner is advised that, although the Declaration is presently unexecuted, the information contained therein originated with Declarant and is, therefore, entirely reliable. The original Declaration has been forwarded to Declarant for signature and, as soon as

the completed document has been received, it will be entered in the file of this case. In the meantime, the Examiner can give the enclosed full consideration I order to expedite the prosecution thereof.

Turning now to the specific points raised by the Examiner in the Advisory Action, each will be addressed in turn.

Behenic Acid

In the Advisory Action, the Examiner had pointed out that page 117, lines 1-2 do not support pure silver behenate because it teaches a mixture of behenic acid with other acids. The Examiner's attention is directed to page 41 line 13 which teaches the use of behenic acid alone. Thus, it is respectfully submitted that the Specification does support behenic acid as the aliphatic carboxylic acid used to make the silver salt.

The Examiner's attention is also directed at the attached Declaration of Mr. Fukusaka. In Mr. Fukusaka's Declaration in table 10, tests were performed using only behenic acid for the aliphatic carboxylic acid used to make the silver salt. It can be seen by the test data in table

10 that behenic acid by itself works in the present invention.

Thus, applicants respectfully submit that not only does the application support the claimed limitation to behenic acid but also the test data evidences the fact that behenic acid works just as well as behenic acid in combination with other acids.

α/β Ratio

In the Advisory Action, the Examiner had taken the position that the data submitted in the Declaration dated October 2 does not support the full claimed molar ratio for the compound of Formula (3) to the compound of Formula (1). In order to address this comment by the Examiner, additional tests have been run and reported in the attached Declaration of Mr. Fukusaka.

The Examiner's attention is directed to the tables 8A and 9A, and specifically to samples 24-27. Samples 24 and 26 show the molar ratio at the low end, 0.001, while samples 25 and 27 provide test data for the samples in the upper end, 0.2.

From: LUCAS & MERCANTI, LLP

1 212 661 8002

10/30/2006 16:00 #065 P.007/016

RECEIVED
CENTRAL FAX CENTER

OCT 30 2006

As can be seen by the data on tables 8a and 9A, the invention works at both ends of its claimed range. Thus, applicants have submitted data which clearly demonstrates that the invention works throughout the claimed range and provides superior results.

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By:

Donald C. Lucas

Donald C. Lucas, 31,275
Attorney for Applicants(s)
475 Park Avenue South, 15th Floor
New York, NY 10016
Tel. # 212-661-8000